

Louise Ann Fernandez, Esq. – SBN 86263  
Email: [laf@jmbm.com](mailto:laf@jmbm.com)  
An Nguyen Ruda, Esq. – SBN 215453  
Email: [ahn@jmbm.com](mailto:ahn@jmbm.com)  
JEFFER MANGELS BUTLER &  
MITCHELL LLP  
2 Embarcadero Center, 5th Floor  
San Francisco, CA 94111  
Telephone: (415) 984-9613  
Facsimile: (310) 712-3364

Benjamin Davidson, Esq. – SBN 241859  
Email: [bdavidson@bendavidsonlaw.com](mailto:bdavidson@bendavidsonlaw.com)  
LAW OFFICES OF BENJAMIN  
DAVIDSON, P.C.  
8383 Wilshire Boulevard, Suite 830  
Beverly Hills, CA 90211  
Telephone: (323) 713-0010  
Facsimile: (323) 488-6888

Attorneys for Plaintiff  
ARTEC GROUP, INC.

[List of Counsel Continued on Next Page]

**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**

ARTEC GROUP, INC., a California Corporation,	)	Case No. 15-cv-03449-EMC
Plaintiff,	)	
vs.	)	<b>JOINT LETTER BRIEF AND</b>
ANDREY KLIMOV, an individual, et al.,	)	<b>STIPULATION RE: COMPLIANCE</b>
Defendants.	)	<b>WITH COURT'S ORDER RE:</b>
	)	<b>WITHDRAWAL OF COUNSEL FOR</b>
	)	<b>THE KLIMOV DEFENDANTS [DKT. 243]; [<del>PROPOSED</del>] ORDER</b>
	)	<b>Local Rule 6-2</b>
	)	Action Filed: July 27, 2015
	)	Fact Discovery Close: August 17, 2017
	)	Trial Date: February 20, 2018

1 [List of Counsel Continued]

2 Oly Roma Filatova, Esq. – SBN 243734

3 Email: [attorney.filatova@gmail.com](mailto:attorney.filatova@gmail.com)

4 LAW OFFICES OF OLY FILATOVA

5 Opera Plaza

6 601 Van Ness Avenue, Suite 2052

7 San Francisco, CA 94102

8 Telephone: (415) 568-8677

9 Facsimile: (415) 484-7883

10 Igor Shoiket, Esq. – SBN 190066

11 Email: [ishoiket@dergnoah.com](mailto:ishoiket@dergnoah.com)

12 DERGOSITS & NOAH LLP

13 One Embarcadero Center, Suite 350

14 San Francisco, CA 94111

15 Telephone: (415) 705-6377

16 Facsimile: (415) 705-6383

17 Attorneys for Defendants

18 ANDREY KLIMOV; YULIA KLIMOVA; ANNA STEBLEVA;

19 A-STAR LLC; and ID-WISE SIA

1 Pursuant to the United States District Court, Northern District of California Local  
2 Rules, Rule 6-2 and the Court's Order re Defense Counsel Declarations and Plaintiff's  
3 Notice (Dkt. 243), Benjamin Davidson, attorney for plaintiff Artec Group, Inc. ("Artec" or  
4 "Plaintiff"); Oly Filatova and Igor Shoiket, present counsel (pending the grant of their  
5 withdrawal) for defendants Andrey Klimov, Yulia Klimova, Anna Stebleva, A-Star LLC,  
6 and ID-Wise SIA (the "Klimov Defendants"), state and stipulate as follows:

7 1. On March 29, 2017, the hearing on the motions to withdraw filed by counsel  
8 for the Klimov Defendants (as well as by counsel for co-defendant Axon Business  
9 Systems) came before the aforementioned Court, the Hon. Edward M. Chen, District  
10 Judge, presiding.

11 2. On April 4, 2017, the Court conditionally granted the motions to withdraw  
12 The granting of the motions was conditioned on, e.g., (1) each individual defendant  
13 registering for an ECF account; (2) each entity defendant providing an email address to be  
14 added to the ECF system for purposes of service; (3) to return AEO documents to Artec  
15 should no new counsel make an appearance on behalf of their clients by a date certain and  
16 (4) withdrawing counsel to file declarations related to their compliance with the above. See  
17 Dkt. 225, 243.

18 3. On April 28, 2017, Ms. Filatova filed a Declaration in Compliance with  
19 4/4/2017 Court Order (Dkt. 238). On May 2, 2017, Artec filed a Notice of Defense  
20 Counsel's Noncompliance with Court Order of April 3, 2017 and Declaration of Benjamin  
21 Davidson, Dkt. 240, 240-1.

22 4. On May 3, 2017, the Court issued an Order re Defense Counsel Declarations  
23 and Plaintiff's Notice. Dkt. 243. The Court directed the parties to meet and confer  
24 regarding the alleged failure to comply and, within a week, to file a joint brief providing an  
25 update for the Court and, if appropriate, a stipulation and proposed order.

26 5. Counsel for Plaintiff and the Klimov Defendants have met and conferred in  
27 good faith regarding the Court's Order. Following the met and confer, counsel have  
28 agreed and STIPULATED to the following:

1           a.       Should none of the Klimov Defendants retain new counsel by May  
2 12, 2017, present counsel will return all production CDs and hard copies containing  
3 documents or other materials produced by Plaintiff in disclosure or discovery that has been  
4 designated “HIGHLY CONFIDENTIAL—ATTORNEYS EYES ONLY” or “HIGHLY  
5 CONFIDENTIAL—SOURCE CODE” (collectively, “AEO materials”), including  
6 documents/materials that were re-designated as AEO materials after the Stipulated  
7 Protective Order, as modified, was executed (Dkt. 165).

8           b.       Should none of the Klimov Defendants retain new counsel by May  
9 12, 2017, present counsel will return or delete all files and correspondences containing  
10 AEO materials from their hard drives and servers, and also shall ensure that the same are  
11 returned/deleted from the hard drives, servers, and files of anyone else who has viewed or  
12 had access to these materials.

13           c.       Should any of the Klimov Defendants retain new counsel by May 12,  
14 2017, all AEO materials will be provided to new counsel, who shall be made aware of the  
15 Stipulated Protective Order and the restrictions on disclosing Plaintiff’s AEO materials to  
16 the Individual Defendants set forth therein and in the Court’s subsequent Orders.

17           d.       The Parties further agree that that present counsel may have until May  
18 15, 2017 to perform the acts set forth in 6(a)-(c) and that unless present counsel receives  
19 confirmation from the Klimov Defendants on or before May 15, 2017 that they have  
20 retained new counsel, they will return Plaintiff’s production CDs to the San Francisco  
21 offices of Jeffer Mangels Butler & Mitchell on May 15, 2017 by hand-delivery or by  
22 overnight mail with tracking.

23           e.       Present counsel for the Klimov Defendants shall file a Notice of  
24 Compliance affirming compliance with the aforementioned to the same extent as set forth  
25 in the Court’s Order of April 4, 2017 (Dkt. 225). To the extent practicable, counsel shall  
26 endeavor to obtain the concurrence of counsel for Plaintiff prior to filing the Notice of  
27 Compliance. Such stipulation shall be filed no later than Wednesday, May 17, 2017.

28           ///

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**IT IS SO STIPULATED**

Dated: May 10, 2017

Respectfully submitted,  
By: /s/ Benjamin Davidson  
Louise Ann Fernandez  
An Nguyen Ruda  
Rachel M. Capoccia  
Jeffer Mangels Butler & Mitchell LLP  
Benjamin Davidson  
Law Offices of Benjamin Davidson, P.C.  
Attorneys for Plaintiff  
ARTEC GROUP, INC.

Respectfully submitted,  
By: /s/ Oly Filatova  
Oly Filatova  
Law Offices of Oly Filatova  
Igor Shoiket  
Dergosits & Noah LLP  
Attorneys for Defendants  
ANDREY KLIMOV; YULIA KLIMOVA;  
ANNA STEBLEVA; A-STAR LLC; and ID-  
WISE SIA

1  
2 **[~~PROPOSED~~] ORDER**

3 Good cause appearing, IT IS HEREBY ORDERED that the time periods and  
4 conditions for compliance with the Court's Order Conditionally Granting Defense  
5 Counsel's Motions to Withdraw (Dkt. 225) shall be amended and extended to the extent  
6 set forth in the foregoing Stipulation.

7  
8 **IT IS SO ORDERED.**

9 DATED: 5/11/17

By: \_\_\_\_\_

HON. EDW.  
UNITED ST

